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SUBJECT: DORM-TO-DORM FIGHTING FOR WORKING-CLASS HOUSING IN
MOSCOW

Classified By: Acting Political Counselor Robert Patterson for reason 1
.4 (d).

¶1. (C) Summary: The June 24 eviction melee between residents of a communal apartment building on one side and police and employees of the Federal Prison Service (FSIN) on the other was the latest round of the ongoing struggle for working-class housing in Moscow. The housing rights advocates, led by Moscow NGO DOM ("Home"), have defended the interests of those threatened with eviction following the privatization of dormitory apartment buildings. According to human rights advocates, the housing rights movement is the most vibrant and successful example of widespread grassroots movements in the country. End summary.

¶2. (U) The ongoing case of the Yasnoy Proyezd apartment building presents a tangle of conflicting interests: long-term residents facing eviction, their NGO advocates, the courts, and the federal and local government. It has also brought to light the work of a vibrant grassroots movement that is successfully defending the rights of some of Russia's poorest residents from claims on their homes.

The Grand Prize: An Old Factory Dormitory

¶3. (U) The Yasnoy building is a decaying 12-story relic of the Khrushchev era. Some of the 180 apartments lack windows, some lack power, and most residents heat their rooms with kerosene heaters, according to Yasnoy resident and DOM Chairman Irina Bergaliyeva. The building is located in the northeast region of the city of Moscow, inside the MKAD (beltway), on land whose value has been rapidly appreciating in Moscow's real estate boom. According to DOM, more than 2,000 similar dorm-type apartment buildings in the Moscow region have yet to be privatized.

¶4. (U) For years the Yasnoy building was owned by a nearby garment factory and used as a dormitory for its workers. When the factory went bankrupt, the unemployed residents retained their apartments, but legal ownership of the building was transferred to the federal government property office. In 2004, ownership of the building was transferred to the Federal Prison Service (FSIN) for use in housing prison guards and FSIN employees. Longterm residents, including some ethnic Georgians and Abkhaz (some of whom are Russian citizens), protested the transfer and took the case to court. According to DOM, 135 Muscovite families and 15 refugee families live in the building, and 15-20 apartments had been have been appropriated by FSIN since 2004. Bergaliyeva told us that FSIN employees were from outside Moscow, most from Ingushetiya. The apartments in other buildings in which they were to have been housed had been sold, as a result of what Bergaliyeva termed official corruption.

The Court Case: Near Victory Undone by a Substitute Judge

15. (C) In November 2007, in the latest round of the on-going conflict, the residents of three of the Yasnoy apartments filed suit against the FSIN, which was attempting to evict them. After several delays, Judge Dmitriy Dubrovin announced that he would issue his decision on ownership of the three flats on June 19. On June 17, with no advance notice, Dubrovin was removed from the case and replaced by Judge Irina Sumenkova. Bergaliyeva told us on July 3 that Dubrovin had been sympathetic to their case, and as the government defendants had not attended the court proceedings since the beginning, she had been confident that the plaintiffs would win. According to Bergaliyeva, "Sumenkova didn't even read the case materials -- she dismissed everything within five minutes." Sumenkova ruled in favor of FSIN, but told the plaintiffs that her written decision would not be issued until after the summer recess, at which time the residents could file an appeal.

16. (C) On June 24, court bailiffs, accompanied by members of the FSIN, went to the Yasnoy building to carry out the court order. According to DOM and three residents who spoke at a press conference on July 1, the bailiffs evicted those residents (all refugees) from the three apartments listed in the judgment. The FSIN guards then proceeded to clear out an additional three apartments, beating residents, and throwing their possessions out the window, according to several eyewitnesses and journalists. The six apartments were then sealed with steel doors. Moscow City Duma Deputy Sergey Mitrokhin, the new head of Yabloko and a member of the Committee on Housing and Urban Development, told us that he was assaulted by FSIN guards when he and other housing advocates attempted to re-open the sealed apartments. Mitrokhin told us that the FSIN guards were mostly ethnic

Ingush, who "looked like skinheads." "They were shouting 'Allah Akbar' before indiscriminately beating people with truncheons." Mitrokhin and press reports said that the elderly, women, and children were among those beaten.

17. (C) According to Bergaliyeva, DOM filed a complaint with the Human Rights Ombudsman on July 2, and residents from the building will file separate complaints. She had spoken with the District Prosecutor and is hopeful that he will initiate a case against FSIN. DOM conducted a protest outside the Yasnoy building on July 3 and continues to raise the public profile of the case.

18. (U) At a July 8 news conference, Moscow FSIN Director Vladimir Davydov defended the actions of his employees on June 24 and promised to help evict another 50 "illegal residents" (i.e. refugees) living in five other Yasnoy apartments. Davydov claimed that the June 24 eviction had been lawfully carried out by the bailiffs, and that the FSIN employees had been there only to help maintain order. When the journalists, some of whom had been present at the June 24 fight, questioned Davydov's account, he refused to respond.

An Effective Grassroots Movement -----

19. (C) Human Rights leaders have cited DOM, and like-minded affiliates throughout the country, as examples of successful grassroots movements. Moscow Helsinki Group Chair Lyudmilla Alekseyeva confirmed the account provided us by Bergaliyeva. Alekseyeva had called the Ministry of Justice (which has oversight of FSIN) to protest the violence on June 24. She had also notified Human Rights Ombudsman Lukin, who in turn had called Moscow Police Chief Pronin. The latter, she said, had not intervened. Sky-high real estate prices meant that such collisions occurred frequently in Moscow, Alekseyeva said. She said that the housing rights movement, similar to the car-owners movement, was an encouraging sign of progress in civil society development, since it demonstrated the ability of like-minded citizens to join together, work with (or against) the government to solve their problems.

Comment

¶10. (C) This particular case is a stew of vexing issues: housing, corruption, the role of NGOs and the press, property rights, and ethnic tensions. Although not as visible or dramatic as other human rights campaigns, the housing rights movement has been persistent and effective in its work. The problems of housing the poor are often pushed to the background amidst the glitter of high-end real estate development in Moscow, but the problems that thousands face are bad and will likely only get worse. With a lack of new housing for the working class, a lack of transparency from the courts, and the continued eviction of residents from their existing homes, we expect this problem to worsen.

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